

bef

**United States District Court  
Western District of Texas  
El Paso Division**

## INITIAL APPEARANCE / PLEA AND SENTENCE

**Case Number: EP:19-M-08052(1) MAT**

DEFENDANT'S NAME:  
Iosnaiqui Acosta-Columbie

ATTY FOR DEFENDANT: Damian Ryan George  
Rasmussen

JUDGE: Miguel A. Torres  
DEPUTY CLERK: Rita R Velez  
COURT REPORTER: ERO

DATE: 08/26/2019

AUSA: John Gans  
INTERPRETER:  Yes  No  
PROBATION:  
PRETRIAL OFFICER:  
TIME: \_\_\_\_\_ Minutes 3:32 - 4:20

## PROCEEDINGS

DFT NO. [DftNo1] [DftNo2]

<input checked="" type="checkbox"/>	INITIAL APPEARANCE HELD	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	ARRAIGNMENT HELD	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	DFT INFORMED OF RIGHTS/oral consent to plea	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	GUILTY DEFT [DftNo1] COUNT(S): <u>COMPLAINT</u>		
<input checked="" type="checkbox"/>	GUILTY PLEA ACCEPTED BY THE COURT	<input type="checkbox"/>	
<input type="checkbox"/>	Information Filed On _____	<input type="checkbox"/>	
<input type="checkbox"/>	Motion to Dismiss Complaint filed on _____	<input type="checkbox"/>	
<input type="checkbox"/>	Court Grants Motion to Dismiss on _____	<input type="checkbox"/>	
<input type="checkbox"/>	Order Dismissing Complaint entered on _____	<input type="checkbox"/>	
<input type="checkbox"/>	Oral Motion by AUSA to Remit Special Assessment	<input type="checkbox"/>	
<input type="checkbox"/>	Oral Order Granting Oral Motion to Remit Special Assessment	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	SENTENCING HELD: Defendant sentenced to <b>Time Served plus one day; No Fine; S/A REMITTED.</b>		

**OTHER:**

**UNITED STATES DISTRICT COURT**  
WESTERN DISTRICT OF TEXAS, EL PASO DIVISION

FILED  
08/26/2019  
Clerk, U.S. District Court  
Western District of Texas

By: RRV  
Deputy

USA  
vs.  
(1) IOSNAQUI ACOSTA-COLUMBIE

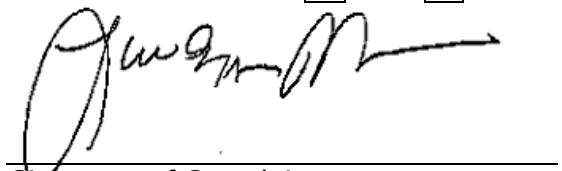
§  
§ CRIMINAL COMPLAINT  
§ CASE NUMBER: EP:19-M -08052(1) - MAT  
§  
§

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **08/24/2019** in **El Paso** county, in the **WESTERN DISTRICT OF TEXAS** defendant did, being an alien to the United States, knowingly enter and attempt to enter the United States at a time and place other than as designated by immigration officers in violation of Title **8** United States Code, Section(s) **1325(a)(1)**.

I further state that I am a(n) **Border Patrol Agent** and that this complaint is based on the following facts: "*The Defendant, Iosnaiqui ACOSTA-Columbie, an alien to the United States and a citizen of Cuba, entered the United States from the Republic of Mexico by crossing the Rio Grande River on August 24, 2019 , approximately 4.3 West of the Ysleta Port of Entry at El Paso, Texas , in the Western District of Texas. The place where the Defendant entered is not designated as a Port of Entry by immigration officers.*"

Continued on the attached sheet and made a part of hereof:

Yes  No



Signature of Complainant  
Rodriguez, Luis Enrique  
Border Patrol Agent

Sworn to before me and subscribed in my presence,

08/26/2019  
File Date

at EL PASO, Texas  
City and State

MIGUEL A. TORRES  
UNITED STATES MAGISTRATE JUDGE

  
Signature of Judicial Officer

WESTERN DISTRICT OF TEXAS

(1) IOSNAQUI ACOSTA-COLUMBIE

FACTS (CONTINUED)

The Defendant, Iosnaiqui ACOSTA-Columbie, an alien to the United States and a citizen of Cuba, entered the United States from the Republic of Mexico by crossing the Rio Grande River on August 24, 2019 , approximately 4.3 West of the Ysleta Port of Entry at El Paso, Texas , in the Western District of Texas. The place where the Defendant entered is not designated as a Port of Entry by immigration officers.

On July 29, 2019 the DEFENDANT was processed under the Migrant Protection Protocol (MPP). The DEFENDANT was found inadmissible into the United States and served with I-862 Notice to Appear and returned back to Mexico under the Migration Protocol. On August 24, 2019 the DEFENDANT was apprehended and reprocessed under the Migration Protection Protocol and returned back to Mexico to await his court hearing on November 23, 2019 at 8:30 AM.

Because this affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

IMMIGRATION HISTORY:

Notice to Appear issued on July 29, 2019

CRIMINAL HISTORY:

NONE

---

**United States District Court**  
**Western District of Texas**  
**El Paso Division**

---

**UNITED STATES OF AMERICA**

vs.

**(1) IOSNAQUI ACOSTA-COLUMBIE**

§  
§  
§ No: EP:19-M -08052(1)  
§  
§

*Defendant*

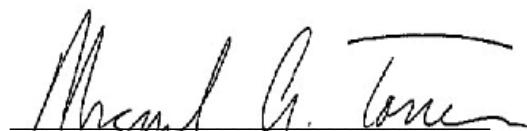
**ORDER APPOINTING COUNSEL**

The above Defendant has testified under oath, or has otherwise satisfied this Court that he or she is financially unable to employ counsel, and does not wish to waive counsel.

Therefore, in the interests of justice, Damian Ryan George Rasmussen, is hereby appointed, pursuant to the provisions of the Criminal Justice Act, to represent said Defendant in this case.

This appointment shall remain in effect until further order of the Court.

It is, accordingly, so **ORDERED** this the 26th day of August, 2019.



MIGUEL A. TORRES  
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

USA §  
§  
vs. § Case Number: EP:19-M -08052(1)  
§  
(1) IOSNAQUI ACOSTA-COLUMBIE §

**ORDER SETTING MISDEMEANOR ARRAIGNMENT/PLEA & SENTENCE**

**IT IS HEREBY ORDERED** that the above entitled and numbered case is set before the HONORABLE U.S. MAGISTRATE MIGUEL A. TORRES for MISDEMEANOR ARRAIGNMENT/PLEA & SENTENCE, August 26, 2019 at 02:30 PM in Magistrate Courtroom, Room 712.

**IT IS FURTHER ORDERED** that the Clerk of Court shall send a copy of this order to the defendant, counsel for defendant, the United States Attorney, U.S. Pretrial Services, United States Probation Office, and any surety or custodian, if applicable. Further, counsel for the defendant shall notify the defendant of this setting. If the defendant is on bond, he/she shall be present.

**IT IS SO ORDERED** this 08/26/2019.



MIGUEL A. TORRES  
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF TEXAS**  
**EL PASO DIVISION**

FILED  
08/26/2019  
Clerk, U.S. District Court  
Western District of Texas

By: RRV  
Deputy

UNITED STATES OF AMERICA

vs.

(1) IOSNAQUI ACOSTA-COLUMBIE

Defendant.

**JUDGMENT IN A CRIMINAL CASE  
(For A Petty Offense) - Short Form**

The defendant, Iosnaiqui Acosta-Columbie, was represented by counsel, Damian Ryan George Rasmussen.

The defendant pled guilty to the complaint on August 26, 2019. Accordingly, the defendant is adjudged guilty of the following offense(s):

<b><u>Title &amp; Section</u></b>	<b><u>Nature of Offense</u></b>	<b><u>Date of Offense</u></b>
8 USC 1325(a)(1)	IMPROPER ENTRY BY AN ALIEN	August 24, 2019

As pronounced on August 26, 2019, the defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of **Time Served plus one day**. The defendant shall remain in custody pending service of sentence.

The special assessment imposed pursuant to 18 U.S.C. § 3013 is hereby remitted pursuant to 18 U.S.C. § 3573 because reasonable efforts to collect this assessment are not likely to be effective.

Signed this the 26th day of August, 2019.



MIGUEL A. TORRES  
UNITED STATES MAGISTRATE JUDGE